

Part 6

Transportation of Forest Products or Native Vegetation

78B-8-601 Definitions.

For purposes of this part:

- (1) "Forest products" means any tree or portion thereof before it is manufactured into dimensional lumber, timbers, and ties, or mill peeled and made into power poles or house logs, including but not limited to coniferous and deciduous trees, Christmas trees, sawlogs, poles, posts, pulp logs, and fuelwood.
- (2) "Native vegetation" means all other forest, desert, or rangeland vegetation including but not limited to shrubs, flora, roots, bulbs, and seed.

Enacted by Chapter 3, 2008 General Session

78B-8-602 Proof of ownership required to harvest or transport forest products or native vegetation -- Requirements for proof of ownership.

- (1) It is unlawful for any person, firm, company, partnership, corporation, or business to harvest or transport timber, forest products, or other native vegetation without proof of ownership.
- (2) Proof of ownership requires possession of:
 - (a) a contract, permit, or other writing issued by the landowner or proper state or federal agency;
 - (b) a bill of sale, or other sales receipt;
 - (c) a bill of lading or product load receipt;
 - (d) a ticket issued by the seller authorizing harvesting or removal; or
 - (e) any other legal instrument.
- (3) The document required in Subsection (1) shall be issued by the landowner or proper state or federal agency and shall provide the following information:
 - (a) date of execution;
 - (b) name and address of person authorized to harvest or transport the products, if different from the purchaser;
 - (c) a legal or other sufficient description of the property from which the products are harvested or removed;
 - (d) the estimated amount or volume, species, and other pertinent information regarding the products harvested or transported;
 - (e) the delivery or scaling point;
 - (f) the name and address of the purchaser of the products;
 - (g) the name and address of the landowner, agency, or vendor; and
 - (h) an expiration date.

Enacted by Chapter 3, 2008 General Session

78B-8-603 Transportation of forest products or native vegetation into or through the state.

Timber, forest products, or native vegetation transported into or through the state shall be accompanied by a shipping permit or proof of ownership.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-8-604 Enforcement.

Any law enforcement officer specified in Section 53-13-103, or ranger, or special agent of the United States Forest Service or the United States Bureau of Land Management may:

- (1) stop any vehicle or means of conveyance, including common carriers, containing timber, forest products, or native vegetation upon any road or highway of this state for the purpose of making an inspection and investigation but may not unduly detain a driver of such vehicle or means of conveyance;
- (2) inspect the timber, forest product, or native vegetation in any vehicle, or other means of conveyance, including common carrier, to determine whether the provisions of this chapter have been complied with;
- (3) seize and hold any timber, forest product, or native vegetation harvested, removed, or transported in violation of this part; and
- (4) sell or dispose of the timber, forest product, or native vegetation as provided by rule by the appropriate agency.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-8-605 Exemptions.

The provisions of this part do not apply to the transportation of:

- (1) wood chips, sawdust, and bark;
- (2) products transported by the owner of the property or his agent from which the products were removed; or
- (3) products for personal consumption incidental to camping and picnicking which is limited to the amount:
 - (a) needed for the duration of the picnic or campout; and
 - (b) used at the campsite.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-8-606 Violation as misdemeanor.

Violation of Sections 78B-8-602 through 78B-8-604 is a class B misdemeanor.

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